

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) 3:15-CR-061-HDM-(WGC)
)
SHELBY HOEFELMAN,)
)
Defendant.)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that defendant SHELBY HOEFELMAN pled guilty to Count One of a One-Count Third Superseding Information charging her with Conspiracy to Distribute and to Possess with Intent to Distribute a Mixture and Substance Containing a Detectable Amount of Methamphetamine, Heroin, and Marijuana in violation of Title 21, United States Code, Sections 841(a)(1) and 846. Third Superseding Information, ECF No. 269; Plea Agreement, ECF No. 271; Change of Plea, ECF No. 275.

This Court finds defendant SHELBY HOEFELMAN agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Third Superseding Information. Third Superseding Information, ECF No. 269; Plea Agreement, ECF No. 271; Change of Plea, ECF No. 275.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Third Superseding Information and the offense to which defendant SHELBY HOEFELMAN pled guilty.

1 The following assets are subject to forfeiture pursuant to Title 21, United States Code, Section
2 853(a)(1), (a)(2), and (p):

- 3 1. United States currency, including \$3,689.25 recovered from Andres Rodriguez, on or
4 about August 19, 2015;
- 5 2. United States currency, including \$4200 located in the custody of Andres Rodriguez,
6 recovered on or about August 26, 2015;
- 7 3. A blue and silver 1983 Chevy El Camino, Nevada Classic Vehicle license plate 607T,
8 vehicle identification number ("VIN") 1GCCW80H2DR292669, registered to Andres
9 Rodriguez, 681 Oakwood Drive, Apt. 1, Sparks, Nevada;
- 10 4. A white 2006 Dodge Durango, Nevada license plate 12A857. VIN
11 1D4HB48236F156049, registered to Andres Rodriguez, 681 Oakwood Drive, Apt. 1,
12 Sparks, Nevada;
- 13 5. A gray 2001 GMC Yukon, Nevada license plate 437AXW, VIN
14 1GKEK13T61J104651, registered to Melissa Andrade-Garcia, 681 Oakwood Drive,
15 Apt. 1, Sparks, Nevada;
- 16 6. A blue 2004 Lexus 300, Nevada license plate 305AVN, VIN JT8BD69S540191973,
17 registered to Andres Rodriguez, 197 East Grove Street, C5, Reno, Nevada; and
- 18 7. Firearms, including a Smith & Wesson model 411 .40 caliber pistol, bearing serial
19 number VCZ3791, and a KBI Model SMC .380 caliber pistol, bearing serial number
20 9319741, each found in the trunk of a gray 1999 Suzuki 4-door Esteem, Nevada license
21 798ATT

22 (all of which constitutes property).

23 This Court finds the United States of America is now entitled to, and should, reduce the
24 aforementioned property to the possession of the United States of America.

25 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
26 United States of America should seize the aforementioned property.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
2 SHELBY HOEFELMAN in the aforementioned property is forfeited and is vested in the United States
3 of America and shall be safely held by the United States of America until further order of the Court.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
5 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
6 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
7 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
8 name and contact information for the government attorney to be served with the petition, pursuant to
9 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
11 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
12 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
13 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
14 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
15 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
16 petition and the relief sought.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
18 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
19 Virginia Street, 3rd Floor, Reno, NV 89501, no later than thirty (30) days after the notice is sent or, if
20 direct notice was not sent, no later than sixty (60) days after the first day of the publication on the
21 official internet government forfeiture site, www.forfeiture.gov.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
23 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
24 following address at the time of filing:

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1 Greg Addington
2 Assistant United States Attorney
3 100 West Liberty Street, Suite 600
4 Reno, NV 89501

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
6 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
7 following publication of notice of seizure and intent to administratively forfeit the above-described
8 property.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies of
10 this Order to all counsel of record.

11 DATED this 18th day of April, 2016.

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UNITED STATES DISTRICT JUDGE
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